

REMARKS

Claim 1 has been amended. The specification has been amended.

The Examiner has first objected to claim 1 as informal. The Examiner notes that the word "forming" on line 3 of claim 1 should be --reforming--. Applicant's, to overcome this objection, have amended line 3 of claim 1 to change the word "forming" to --reforming--.

The Examiner has objected to the disclosure for also being informal. The Examiner points out that the description on page 12, beginning with line 11 fails to agree with what is shown in FIG. 2. To satisfy this objection, applicants have amended the specification at lines 11-14 of page 12, as above set forth, so that it is now consistent with what is depicted in FIG. 2.

The Examiner has rejected applicant's claims 1 and 2 under 35 USC § 102(b) as anticipated by the Baker, et al. (U.S 4,182,795) patent. The Examiner has further rejected applicant's claims 1, 4 and 5 also under 35 USC 102(b) as anticipated by the Matsumura, et al. (U.S 4,647,516) patent. The Examiner has further rejected applicant's claims 2, 3, 6, 7, 8, 9 and 10 under 35 USC § 103(a) as being unpatentable based on the Matsumura, et al. patent taken with one or more of the Farooque (U.S 4,917,971) patent, the Hsu (6,458,477) patent and the Koga, et al. (U.S. 5,082,752) patent. With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claim 1 has been amended to better define applicant's invention. More particularly, amended claim 1 recites a fuel cell system comprising: a fuel cell assembly having one or more fuel cells and further including one or more direct internal forming passages and one or more indirect internal reforming passages for reforming a fuel supply; and a coupling assembly for coupling a first fuel supply portion to the one or

more indirect internally reforming passages and a second fuel supply portion to the one or more direct internally reforming passages, said coupling assembly enabling selective and adjustable controlling of said first fuel supply portion and selective and adjustable controlling of said second fuel supply portion. Such a construction is not taught or suggested by the cited art of record.

Looking first at the Baker, et al. patent, the Examiner has argued that the passages 18a in this patent are direct internally reforming passages. However, there is nothing discussed in the patent to support this argument and the patent only states that the passages 22a are indirect internally reforming passages due to the placement of a reforming catalyst in these passages. Moreover, the whole emphasis in the Baker, et al. patent is to avoid placing a reforming catalyst in the passages 18a, since these passages are electrolyte communicative passages. Finally, the constrictions in the passages 22a are not taught to be adjustable. Accordingly, the patent fails to teach or suggest a “a coupling assembly for coupling a first fuel supply portion to the one or more indirect internally reforming passages and a second fuel supply portion to the one or more direct internally reforming passages, said coupling assembly enabling selective and adjustable controlling of said first fuel supply portion,” let alone a “coupling assembly enabling selective and adjustable controlling of said first fuel supply portion and selective and adjustable controlling of said second fuel supply portion.”

Applicant's amended claim 1, and its dependent claims, all of which recite such features thus patentably distinguish over the Baker, et al. patent.

Turning now to the Matsumura, et al patent, this patent teaches a fuel cell structure wherein the external fuel supply is divided into two parts for application to direct and indirect internally reforming regions, and further that this is desirable for controlling the amount of

decomposition of the hydrocarbon or alcohols in the indirect internally reforming region. However, again there is no teaching in the Matsumura, et al patent of the desirability of selective and adjustable controlling of the first fuel supply portion and selective and adjustable controlling of the second fuel supply portion.

Applicant's amended claim 1, and its dependent claims, in reciting "a coupling assembly for coupling a first fuel supply portion to the one or more indirect internally reforming passages and a second fuel supply portion to the one or more direct internally reforming passages, said coupling assembly enabling selective and adjustable controlling of said first fuel supply portion and selective and adjustable controlling of said second fuel supply portion," thus also patentably distinguish over the Matsumura, et al. patent

The Hsu patent merely teaches that the supply of air or the supply of fuel into a fuel cell can be controlled using control devices including "passive devices such as a valve or appropriately sized conduit or orifice." This teaching in the Hsu patent adds nothing to the Matsumura, et al. patent to suggest the use in a fuel cell structure of a "coupling assembly enabling selective and adjustable controlling of said first fuel supply portion and selective and adjustable controlling of said second fuel supply portion," as discussed above with respect to the Matsumura, et al. patent.

The combination of the Matsumura, et al. patent and the Hue patent would thus not result in applicant's amended claim 1, or its dependent claims.

Likewise, while applicant does not agree with the Examiner's rejection of claim 6 based on the Matsumura, et al., Hue and Farooque patents, the latter patent was cited for features unrelated to those discussed above as patentably distinguishing applicant's amended claim 1, and its respective dependent claims, over the Matsumura, et al. and Hue patents. For

at least those reasons applicant's amended claims patentably distinguish over the combination of the Matsumura, et al., Hue and Farooque patents.

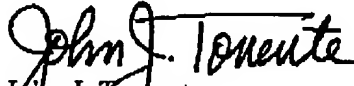
Finally, the Koga, et al. patent adds nothing to the aforesaid patents to change this conclusion. Applicant's amended claim 1, and its respective dependent claims, thus patentably distinguish over the combination of the Matsumura, et al., Hue, Farooque and Koga, et al. patents.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,

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